



Press Release

JUDICIAL CANDIDATES RATED
By: Bar Association of Lehigh County
Judicial Evaluation Committee

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The Bar Association Of Lehigh County Judicial Evaluation Committee Releases 2021 Ratings for Potential Candidates to Fill Seats on the Lehigh County Court of Common Pleas

ALLENSTOWN (March 8, 2021) — The Bar Association of Lehigh County Judicial Evaluation Committee (BALC JEC) today released its ratings of potential judicial candidates seeking to fill three (3) open seats on the Court of Common Pleas of Lehigh County, Pennsylvania. In the 2021 election, voters will choose three (3) persons out of a field of nine (9) candidates who are currently running for Judge of the Court of Common Pleas of Lehigh County, Pennsylvania.

Pursuant to Article X, Section 4 of the By-Laws of The Bar Association of Lehigh County, each candidate requesting an evaluation by the BALC JEC is eligible to receive a rating of “Highly Recommended,” “Recommended” or “Not Recommended.” These ratings are consistent with the Pennsylvania Bar Association Judicial Evaluation Committee, which rates candidates for the Pennsylvania Appellate Courts.

Judges make important decisions every day that affect people's lives. Therefore, the Committee's goal is to provide information to assist voters in choosing candidates best suited to serve as fair, impartial and knowledgeable judges of the Court of Common Pleas of Lehigh County. It is the purpose of the committee to recommend candidates it finds to have the legal ability, experience, integrity and temperament needed to provide satisfactory or outstanding levels of performance in the court of Common Pleas of Lehigh County.

The BALC JEC based its ratings for each candidate on an evaluation process that included review of the Judicial Candidate Questionnaire and any writing samples submitted by the judicial candidate as well as personal interviews with the candidates. Following the interview of each candidate and review of the individual candidate's written submissions, the Committee discussed each candidate's qualifications and voted on each candidate's rating. In rating the candidates, the Judicial Evaluation Committee used as a guide the Pennsylvania Bar Association's ratings of candidates as follows:

Highly Recommended: The candidate possesses the highest combination of legal ability, experience, integrity and temperament and would be capable of outstanding performance as a judge of the court for which he/she is a candidate.

Recommended: Based on legal ability, experience, integrity and temperament, the candidate would be able to perform satisfactorily as a judge of the court for which he/she is a candidate.

Not Recommended: Based on legal ability, experience, integrity or temperament, or any combination thereof, at the present time, the candidate is inadequate to perform satisfactorily as a judge of the court for which he/she is a candidate.

These are the BALC JEC's ratings for the potential candidates. Pursuant to Article X, Section 4 of the By-Laws of The Bar Association of Lehigh County, the Committee is reporting its ratings of and narratives of the candidates in **alphabetical order**.

THOMAS CAFFREY

Rating: **Highly Recommended**

Thomas Caffrey has the depth and breadth of knowledge in the law to enable him to immediately and effectively handle all the legal issues that come before the Court. His practice spanning over thirty years has enabled him to handle nearly every type of case that comes before the court including civil litigation, criminal prosecutions and juvenile matters. He has developed the skills used by a judge in hearing cases when he served many years as the Juvenile Master in Lehigh County, conducting adjudication, disposition, probation violation and review of placement hearings. In that regard, Mr. Caffrey is looking to expand the Juvenile Court system to provide greater focus on juvenile issues. In private practice, Mr. Caffrey zealously represents his clients, while displaying professionalism and civility to opposing counsel. He was also in private practice for two Allentown Law Firms, where he practiced real estate law, land development law, family law, and general civil law. He has served as Solicitor for four townships and conducted Zoning Hearings and Appeals, and also serves as Head of the Lehigh County Department of Law and has had supervisory roles of attorneys and staff. Mr. Caffrey told the Committee that although he has had an interest for many years in serving as judge, he wanted to gain and even deeper knowledge and experience in the many areas of law that come before the court before he would pursue the position. The Committee was impressed with his respect for the law and the position of judge. Attorney Caffrey showed a particular maturity, thoughtfulness, insight and practical experience, that will help ensure the litigants before him receive a full and fair adjudication of their disputes. He also submitted several writing samples which were reviewed by the Committee and show a good knowledge of the law, a clarity of expression, and ability to write thoughtful legal opinions. Mr. Caffrey has the breadth and depth in all areas of practice, something not often seen in the current era where attorneys concentrate in one area of the law. He also has demonstrated commitment to the citizens of Lehigh County, combined with a high degree of respect and trust of his colleagues. During his interview, Mr. Caffrey demonstrated the professionalism, intellect, preparedness, integrity and temperament expected of a Judge. The Committee views Mr. Caffrey's candidacy as a culmination of a long and successful legal career and it is anticipated he would serve the County extremely well as a judge of the Court of the Common Pleas of Lehigh County. Accordingly, the Committee highly recommends his candidacy.

THOMAS CAPEHART

Rating: **Highly Recommended**

Mr. Capehart has extensive legal experience in civil law, gained from a 30 year legal career based in the Lehigh Valley. His current practice requires him to litigate matters in County and Federal Courts across the Commonwealth. This has enabled him to observe different ways that courts handle matters. Attorney Capehart demonstrated to the Committee a discernment in drawing from these experiences to identify traits that make for particularly effective judges, traits that he would bring to the courtroom. He noted the importance of timely deciding matters, of providing an explanation for the decisions

entered, and of maintaining the decorum and formality of the proceeding. Mr. Capehart's reputation for service, good nature and humility, further suggest that he would be a judge able to understand and relate to the litigants before him and would make him a fair, competent and understanding jurist. In addition to a 30-plus year legal career where he gained a breadth of knowledge of many areas of civil law, Mr. Capehart has the unique experience among the Bar of being a PIAA Referee, where he has served the community for over 20 years. As part of his training as a referee, Mr. Capehart was taught how to deescalate situations that arise on the field. As part of his experience, Mr. Capehart has sought to serve as a model for both the coaches and youth on how to properly address conflicts that arise. The Committee believes that this will transfer well to his role of a judge, where he will need to serve as arbitrator of conflicts and deal with differing personalities that often clash in the adversarial legal proceedings. Mr. Capehart has shown a commitment to improving the local legal profession by his active involvement with the Bar Association of Lehigh County. The Committee was encouraged that, if elected to the Bench, Mr. Capehart would continue to be active in the Bar Association of Lehigh County, noting the importance of interaction between judges and attorneys working together to continually improve the legal system. Mr. Capehart's lack of experience in criminal law is not concerning to the Committee because, as Mr. Capehart demonstrated during his interview, he is a quick study and proposes to ask for help, including help from fellow jurists when needed. In his current practice, Mr. Capehart has vast knowledge of various procedural and evidentiary rules, including orphan's court rules, which will transfer to the bench and assist Mr. Capehart even in those areas of the law with which he is less familiar. Therefore, the Committee highly recommends his candidacy for Judge of the Court of Common Pleas of Lehigh County.

ZACHARY COHEN

Rating: Highly Recommended

During his interview with the Committee, Mr. Cohen demonstrated great judicial integrity and ethics, discussing issues in a frank, honest and in-depth manner. Mr. Cohen provided well-reasoned in-depth and candid answers to questions posed to him by the Committee that showed a thoughtfulness and composure befitting a member of the judiciary. He has civil courtroom experience in the Courts of many Counties in the Commonwealth, as well as in Federal Court. He also serves as a Lehigh County Court of Common Pleas Arbitrator, often as Chairman of the Arbitration Panel, and as a Federal Arbitrator. As an Arbitrator, Mr. Cohen has demonstrated a judicial demeanor, handling difficult personalities and educating contentious litigants about the role of the legal proceedings and the rules that must be followed. He also has knowledge of the Rules of Evidence, ruling on objections made during the arbitration proceedings. If elected to the Bench, Mr. Cohen will endeavor to be a serious and compassionate jurist, making all people who come before him comfortable and hopeful in the legal system where their problem is being addressed. He has earned the respect of the courts and legal community, having served as President of the Bar Association of Lehigh County and has a dedication to furthering the legal profession, serving on several legal committees of the Bar, often as chairman. Mr. Cohen has also shown compassion and a commitment to public service and the community, volunteering on

numerous boards and spending his Friday evenings with people with mental disabilities and challenges. His professionalism, poise and character will make him a well-respected Judge of the Court of Common Pleas of Lehigh County; and the Committee highly recommends his candidacy.

EMAN JARRAH

Rating: Recommended

Attorney Jarrah shows a strong intellect and precision in thought necessary to be an effective judge. As an attorney for Lehigh County, she has concentrated in Orphan's Court, but on a daily basis addresses a variety of legal issues on which she advises the branches of County Government. While in private practice, Ms. Jarrah was the "go to" person for difficult or complex or novel legal issues, performing the necessary research to provide a quality result. Ms. Jarrah has spent the last 15 years serving the public as a Deputy Lehigh County Solicitor where she writes opinions for various branches of the Lehigh County Government. In that role, Ms. Jarrah often makes difficult decisions based on the law, sometimes telling people things they do not want to hear. During her interview with the Committee, Ms. Jarrah showed candor in acknowledging her lack of experience in certain areas of the law but indicated a willingness to rise to meet the role as judge with knowledge and intelligence as her guide. The intellectual vigor of her background in science and technology will transfer readily to her ability to quickly learn, and become effective in, areas of the law with which she is not familiar. The Committee found Ms. Jarrah to be hard working and willing to devote the time to perform the research necessary to learn all aspects of the law. She is bright and ambitious, had a good judicial temperament and it is anticipated she would serve well as a judge of the Court of the Common Pleas. Therefore, the Committee recommends her candidacy.

PATRICIA MULQUEEN

Rating: Highly Recommended

During her interview, Ms. Mulqueen showed excellent demeanor, poise, humbleness, and ability that would make for an extremely effective, fair and highly respected jurist. Having served in the public defender's office in Arizona and then the district attorney's office of Lehigh and Northampton Counties for over 22 years, Ms. Mulqueen has the courtroom experience and extensive knowledge of courtroom procedure, the rules of evidence and examination of witnesses which will easily transition to the bench and all areas of the law that may come before her as a judge. As an assistant district attorney, Ms. Mulqueen has been threatened and spit upon, yet she understands the importance of staying calm and cool in the face of adversity to try to defuse the situation with difficult people rather than escalate the problem. While Ms. Mulqueen handled criminal cases for the majority of her career, there was also a civil component incorporated in several of those cases that gave Ms. Mulqueen an understanding about the civil and domestic areas of the law. She understands that people's lives are often affected by civil actions and family law issues and often observes legal arguments before the civil bench. The Committee notes that

Ms. Mulqueen has an impressive resume, is bright and committed to the law and will be a quick study for those areas of the law with which she is not readily familiar. She also has already formulated a plan to quickly and efficiently get up to speed in areas of the law such as civil, family, and trusts and estates for any assignment to the civil bench. Her humble beginnings as the youngest of ten children born to a Spanish-speaking family who migrated from Puerto Rico, and caring for elderly family members, will also bring diversity to the Court. She also has demonstrated a faith and moral code to show fairness and respect to all persons, regardless of socio-economic class, race or gender. Although Attorney Mulqueen currently serves the community in Northampton County, she resides in Lehigh County, has strong family ties to Allentown and Lehigh County and feels at home in the Lehigh County Courthouse, which she visits often. The Committee was impressed with all aspects of Ms. Mulqueen's interview and believes she will bring a unique and valuable perspective to her work as a judge of the Court of Common Pleas of Lehigh County. Accordingly, the Committee highly recommends her candidacy.

DAVID RITTER

Rating: Recommended

David Ritter brings a diverse criminal law experience to the Committee, having had criminal jury trials both as a prosecutor and defense attorney, taking over 60 cases to jury trial during his 24 year career as a lawyer. This background provides Mr. Ritter with the unique perspective of seeing cases from both sides, something that will transfer over well to the bench. The majority of his experience is in the criminal courts, having appeared in court nearly every day during his career. Throughout his career, Mr. Ritter has been viewed as a competent and prepared attorney, committed to treating everyone equally and fairly. Mr. Ritter has the depth of courtroom experience and what he lacks in breadth will easily be extended by his demonstrated competency and abilities. Mr. Ritter certainly has the character, temperament and demeanor to serve as a Judge, is well spoken and understands that judges are called upon every day to make decisions that affect the lives of people. Mr. Ritter has a demonstrated commitment to public service and volunteering, being active in his church, the Boy Scouts and serving as mentor to many of the youth of the community where he has lived for the past 22 years. That coupled with his extensive trial experience and judicial demeanor will make him a good jurist for the Court of Common Pleas of Lehigh County and the Committee recommends his candidacy.

CARLOS RODRIGUEZ

Rating: Not Recommended

Carlos Rodriguez is a general practitioner handling cases in many areas of the law. He is regarded as a fair and open-minded attorney with a good temperament, traits that are important for an effective judge. He demonstrated to the Committee a passion for assisting others and has a commitment to community service, which is commendable. While Mr. Rodriguez has competently handled a broad range of civil, criminal and orphan court matters, the Committee's sense was that additional depth of legal experience would better enable Mr.

Rodriguez to serve as a judge. Accordingly, the Committee does not recommend Attorney Rodriguez, at this time, for the position of common pleas court judge.

MARALEEN SHIELDS

Rating: **Highly Recommended**

Attorney Shields has practiced for nearly twenty years as a civil attorney, with a particular focus on litigation. She has prosecuted or defended civil cases in courts throughout the Commonwealth. She has handled a variety of civil cases including mass tort, medical malpractice defense, business law and personal injury law. This breadth and depth of knowledge of civil law will serve the court very well in handling the civil matters that come before it. Additionally, she has extensive litigation experience – for the duration of her career approximately 90% of her practice has been in litigation. Her answers to the Committee showed a strong knowledge of the court system, and included insightful means for the court to more fully and efficiently address the matters before it. Her experiences have also been recognized at the Commonwealth level. Most recently, she was recognized by the Pennsylvania Bar Association's Committee on Women in the Profession with the Lynette Norton Award, a prestigious award that recognizes female attorneys who excel in litigation skills and who are devoted to mentoring female lawyers. Her extensive legal experiences and knowledge is matched with her keen intellect. She is a Magna Cum Laude graduate of the University Of Pittsburgh School Of Law. The legal writing she submitted to the Committee showed a precision in legal analysis that is an important trait of effective judges. Attorney Shields showed a maturity, thoughtfulness and practical experience that will help ensure the litigants that come before her will receive a full and fair adjudication of their disputes. She brings diversity and a background including knowledge of Autism and an intermediate understanding of the Spanish language that will assist the Court with litigants that come before it. In light of her extensive accomplishments throughout her career, the Committee believes Maraleen Shields will bring a unique and valuable perspective to her work as a Judge of the Court of Common Pleas of Lehigh County and, therefore, highly recommends her candidacy.

RASHID SANTIAGO

Rating: **Not Recommended**

Most of Mr. Santiago's 11 year career as a lawyer has been as a Magistrate Judge. Mr. Santiago serves the citizens of Lehigh County well as a Magistrate Judge, and has demonstrated an excellent judicial temperament with good knowledge of procedural rules and the rules of evidence. He has shown a commitment to fairness and handles litigants in his courtroom with respect. Prior to serving as Magistrate Judge, Mr. Santiago practiced law for a brief period. His experience as a practitioner was limited in breadth and depth. He has had limited to no experience in any Orphan's Court matters, Estate and Trusts matters or Family Law matters. It is Attorney Santiago's limited experience in the areas of law that a common pleas court judge handles that leads the Committee to not recommend him at this

time for a position as a judge of the court of common pleas. Additionally, Mr. Santiago was the only applicant not to provide the Committee with a legal writing sample of any kind, which inhibited the Committee's ability to evaluate that important component of the work that common pleas judges must perform. Mr. Santiago has a background performing the basic functions of the court, but a greater depth and breadth of knowledge, and expanded experience in the law, would better enable him to effectively serve as a common pleas court judge. Accordingly, the Committee does not recommend his candidacy for Judge at this time.

Submitted by,
Bar Association of Lehigh County
Judicial Evaluation Committee
Mark D. Crossley, Esquire, Chair

About the Bar Association of Lehigh County

The association was officially chartered in 1905 "to advance the science of jurisprudence and the administration of justice, to encourage a thorough legal education, to uphold the honor and dignity of the bar, to cultivate social and professional association among its members, to assist the courts in the orderly and efficient administration of justice and to perpetuate the history of the profession and the memory of its members within this judicial district."